



**Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Fox Architectural Design Ltd
1 Main Street
Bootle
Millom
LA19 5TF
FAO: Karl Fox

APPLICATION No: 4/25/2403/0F1

CHANGE OF USE OF LAND TO DOMESTIC GARDEN; THE DEMOLITION OF EXISTING OUTBUILDINGS; AND THE CONSTRUCTION OF A GENERAL PURPOSE/STORAGE BUILDING & WORKSHOP, RETENTION OF EXISTING POLYTUNNEL, & CREATION OF INTERNAL ACCESS TRACK

LAND TO THE NORTH WEST OF POOLSIDE, HAVERIGG

Ethan King

The above application dated 26/11/2025 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

Standard Conditions:

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Application Form, received by the Local Planning Authority on the 26th November 2025.
- Location/Block Plan, Scale 1:500 & 1:1250, Drawing Reference: 25-43-P-L, Revision: -, received by the Local Planning Authority on the 26th November 2025.
- Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 25-43-P-01, Revision: B, received by the Local Planning Authority on the 3rd February 2026.
- Plans as Proposed, Scale 1:100, Drawing Reference: 25-43-P-03, received by the Local Planning Authority on the 26th November 2025.
- Elevations & 3D's As Proposed, Scale 1:100, Drawing Reference: 25-43-P-04, Revision: -, received by the Local Planning Authority on the 26th November 2025.
- Flood Map for Planning, received by the Local Planning Authority on the 26th November 2025.
- Flood Risk Assessment, Prepared by Rubicon Project Consultancy Ltd November 2025, received by the Local Planning Authority on the 26th November 2025.
- Design & Access Statement (Amended), Prepared by Fox-AD, Revision A, received by the Local Planning Authority on the 15th January 2026.
- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, Prepared by South Lakes Ecology November 2025, received by the Local Planning Authority on the 26th November 2025.
- BNG Small Site Metric, received by the Local Planning Authority on the 26th November 2025.
- Statement to inform a Habitats Regulations Assessment (Shadow HRA), Prepared by South Lakes Ecology January 2026, Report: 0126/1, received by the Local Planning Authority on the 7th January 2026.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Ecology & Biodiversity

3. The development hereby approved must be carried out in accordance with and implement all the avoidance and mitigation measures set out in the following approved documents:
 - Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment, Prepared by South Lakes Ecology November 2025, received by the Local Planning Authority on the 26th November 2025.

The development must be carried out in accordance with the approved document at all times thereafter.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

4. Prior to the commencement of development, a Habitat Management and Monitoring Plan must be submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan must include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii. Planned management activities including details of site-wide aims and objectives.
- iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- v. Details of monitoring methods and a monitoring reporting schedule.
- vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

5. The development hereby approved must not be occupied/used until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 4 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

6. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 4, a completion report, evidencing the completed habitat creation and habitat enhancements must be submitted to and approved in writing by the local planning authority.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

7. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 4 must be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by planning condition 4 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

8. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 4 is delivering on its site-wide aims and objectives and habitat condition targets.

Monitoring reports must be submitted to the Council during years 2, 5, 7, 10, 20 and 25 posts completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 4 unless otherwise stated in the Habitat Management and Monitoring Plan secured by planning condition 4.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

Pre Commencement Conditions:

9. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

10. Prior to commencement of works at the site a demolition method statement must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

In order to secure a suitable method of demolition in accordance with Policy DS4 of the Copeland Local Plan.

Prior to Installation Conditions:

11. Prior to the first installation within the development hereby approved, details of any external lighting must be submitted to and approved in writing by the Local Planning Authority.

Artificial external lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E3 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light.

The proposed external lighting must be installed and maintained in accordance with the approved details at all times thereafter.

Reason

In order to safeguard the amenities of nearby residential occupiers in accordance with Policy DS4 of the Copeland Local Plan.

Other Conditions:

12. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Flood Risk Assessment, prepared by Rubicon Project Consultancy Ltd November 2025, received by the Local Planning Authority on the 26th November 2025', and must be maintained as such at all times thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no detached buildings, enclosures, domestic fuel containers, pool or hardstandings must be constructed within this land other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity in accordance with DS4 and N6 of the Copeland Local Plan.

14. The site and the proposed building/workshop hereby approved shall be used for the domestic purposes only as outlined in the approved document 'Design & Access Statement (Amended), Prepared by Fox-AD, Revision A, received by the Local Planning Authority on the 15th January 2026', and for no commercial or business purposes whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area to safeguard amenity in accordance with Policy DS4 of the Copeland Local Plan.

15. Following approval of the development, demolition and construction activities that are audible at the site boundary shall be carried out only between the following hours:

- Monday to Friday 08.00 – 18.00 and
- Saturday 08.00 – 13.00

There shall be no demolition or construction activities at any time on Sunday or Bank Holiday.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with DS4 of the Copeland Local Plan.

Informative Note:

Biodiversity Net Gain – Applicable

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice



Nick Hayhurst
Head of Planning and Place
Thriving Places

16th March 2026

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.